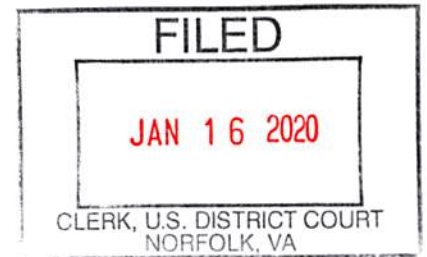


UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Norfolk Division



GMS INDUSTRIAL SUPPLY, INC.

Plaintiff,

v.

CIVIL NO. 2:19cv324

G&S SUPPLY, LLC, et al.,

Defendants.

ORDER

This matter comes before the court on Defendant Wayne Side's Motion to Dismiss for Lack of Personal Jurisdiction ("Motion"), ECF No. 58, and Memorandum in Support, ECF No. 59, filed on August 6, 2019. Plaintiff GMS Industrial Supply, Inc. ("GMS") filed a Memorandum in Opposition on August 20, 2019. ECF No. 66. Side filed a Reply on August 26, 2019. ECF No. 68. Side requested a hearing on the Motion. ECF No. 71.


On September 12, 2019, this court referred the Motion to United States Magistrate Judge Robert J. Krask, pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b), to conduct hearings, including evidentiary hearings, if necessary, and to submit to the undersigned district judge proposed findings of fact, if applicable, and recommendations for the disposition of the Motion. ECF No. 73.

The Magistrate Judge filed the Report and Recommendation ("R&R") on November 14, 2019. ECF No. 90. The Magistrate Judge recommended that Side's Motion be granted. R&R at 1. By copy of the R&R, the parties were advised of their right to file written objections to the findings and recommendations made by the Magistrate Judge. See id. at 22. On November 29, 2019, GMS filed Objections to the R&R. ECF No. 91. Side filed an Opposition to GMS's Objections on December 13, 2019. ECF No. 92.

The court, having reviewed the record in its entirety and having examined GMS's Objections and made de novo findings with respect thereto, does **ADOPT AND APPROVE IN FULL** the findings and recommendations set forth in the R&R of the United States Magistrate Judge, filed on November 14, 2019, ECF No. 90. Accordingly, Side's Motion, ECF No. 58, is **GRANTED**. Side's Request for Hearing, ECF No. 71, is **DENIED** because a hearing is unnecessary to resolve the Motion.

The Clerk is **DIRECTED** to enter judgment for Defendant Wayne Side in accordance with this Order. The Clerk is further **DIRECTED** to send a copy of this Order to the parties.

IT IS SO ORDERED.

/s/
Rebecca Beach Smith
Senior United States District Judge 

REBECCA BEACH SMITH
SENIOR UNITED STATES DISTRICT JUDGE

January 16, 2020